



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RYAN McGEE, et al.

Group Art Unit: 2838

Serial No.: 10/710,759

Examiner: A. A. Boateng

Filed: July 30, 2004

For: CLOSED LOOP CONTROL OF BATTERY POWER LIMITS
BASED ON VOLTAGE

Attorney Docket No.: 81105828/FMC1797PUS

DECLARATION UNDER RULE 37 C.F.R. § 1.131

(1) We, Ming Kuang and Fazal Syed, are co-inventors in U.S. patent application Serial No. 10/710,759, filed July 30, 2004 entitled "Closed Loop Control of Battery Power Limits Based on Voltage." There are three other co-inventors, namely: Ryan McGee, Jonathan Butcher, John Czubay.

(2) We, Ming Kuang and Fazal Syed, are hybrid control technical leader and hybrid control technical expert respectively, employed by Ford Motor Company, in Dearborn, Michigan. Ford Motor Company has assigned the patent application identified above to Ford Global Technologies, LLC, which is a wholly-owned subsidiary of Ford Motor Company. We have assigned the patent application to Ford Motor Company.

(3) We and each of the other co-inventors identified above were engaged in the development of a hybrid electric vehicle powertrain incorporating the invention of the patent application identified above from a time prior to October 14, 2003 and continued to be employed in that capacity to the present time.

(4) A record of the invention of the patent application identified above was prepared by Mr. Ryan McGee on April 17, 2002, as evidenced by a date at the bottom of pages 1-6 in the written description of the invention identified as Attachment I.

(5) The invention was first implemented and tested on June 7, 2002 as evidenced by Attachment IV, page 1. Subsequent versions of the powertrain were tested following the initial test on June 7, 2002, as indicated on pages 2-5 of Attachment IV.

(6) The powertrain containing the inventions was tested for production intent release on October 23, 2003, as evidenced by page 6 of Attachment IV.

(7) The powertrain containing the invention was tested for production intent release again on January 14, 2004, as evidenced by page 7 of Attachment IV.

(8) The powertrain containing the invention was tested for production intent release again on March 15, 2004 as evidenced by page 8 of Attachment IV.

(9) A vehicle (Escape) containing the powertrain embodying the invention was first manufactured for sale by Ford Motor Company in August 2004.

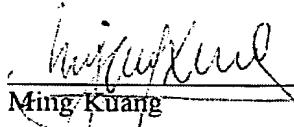
(10) An invention disclosure form was prepared in accordance with an established patent disclosure procedure within Ford Motor Company on July 14, 2003. This invention disclosure form is attached hereto as Attachment II. This document was submitted to the Patent Department of Ford Motor Company by entering it on an internal electronic disclosure network at Ford Motor Company entitled "Anaqua." It thus was made available to the appropriate attorney in the Patent Department of Ford Motor Company.

(11) After the invention disclosure was evaluated by an internal patent committee within Ford Motor Company, the disclosure material was forwarded to Applicants' attorneys at the law firm of Brooks Kushman on July 19, 2004. This is indicated on the attached New Case Form dated July 19, 2004, attached as Attachment III.

(12) The original invention disclosure materials were revised by the co-inventors on July 26, 2004, as indicated on the bottom of pages 1-6 of Attachment I.

(13) Applicants' attorney prepared the patent application identified above based upon the disclosure materials of Attachment I and filed the patent application on behalf of the co-inventors on July 30, 2004.

Dated: 7/31/2006


Ming Kuang

Dated: 7/31/2006


Fazal Syed